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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/647,711	10/04/2000	Stephen L Corley	36-1377	2382
23117 7	7590 11/18/2005		EXAMINER	
	ANDERHYE, PC	KINDRED, ALFORD W		
ARLINGTON.	GLEBE ROAD, 11TH FLC . VA 22203	OOK	ART UNIT	PAPER NUMBER
	,		2163	

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Applica	ation No.	Applicant(s)				
		09/647	,711	CORLEY ET AL.				
Office Action Summary			ier	Art Unit				
		Alford V	V. Kindred	2163				
T Period for F	The MAILING DATE of this communic Reply	cation appears on t	the cover sheet	with the correspondence a	ddress			
WHICHI - Extensio after SIX - If NO per - Failure to Any reply	RTENED STATUTORY PERIOD FOR EVER IS LONGER, FROM THE MAN IN SOME IN THE MAN IN SOME IN THE MAN IN SOME IN THE MAN IN THE	AILING DATE OF of 37 CFR 1.136(a). In no unication. tutory period will apply and will, by statute, cause the a	THIS COMMUN event, however, may will expire SIX (6) Mapplication to become	NICATION. a reply be timely filed ONTHS from the mailing date of this a ABANDONED (35 U.S.C. § 133).	,			
Status								
1)⊠ Re	esponsive to communication(s) filed	d on <i>11 July 2005</i>						
· · · · · · · · · · · · · · · · · · ·		b)⊠ This action is	non-final					
′=	· · · · · · · · · · · · · · · · · · ·							
•	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposition	of Claims	•	•					
4)⊠ CI	aim(s) <u>1-12 and 14</u> is/are pending i	in the application.						
-	4a) Of the above claim(s) is/are withdrawn from consideration.							
	aim(s) is/are allowed.							
6)⊠ CI	(x) Claim(s) <u>1-12 and 14</u> is/are rejected.							
7)□ CI	_ ''							
8)□ CI	aim(s) are subject to restrict	ion and/or election	requirement.					
Application	Papers							
9)□ Th	e specification is objected to by the	Examiner.						
	e drawing(s) filed on is/are:		b)□ objected t	o by the Examiner.				
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
Re	placement drawing sheet(s) including	the correction is requ	uired if the drawir	ng(s) is objected to. See 37 C	FR 1.121(d).			
11)∐ Th	e oath or declaration is objected to	by the Examiner.	Note the attach	ed Office Action or form P	TO-152.			
Priority und	ler 35 U.S.C. § 119							
	knowledgment is made of a claim f	or foreign priority u	ınder 35 U.S.C	. § 119(a)-(d) or (f).				
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* See	the attached detailed Office action	·	, ,,	ot received.				
Attachment(s)								
	References Cited (PTO-892)			v Summary (PTO-413)				
· —	Draftsperson's Patent Drawing Review (PT on Disclosure Statement(s) (PTO-1449 or F	•		o(s)/Mail Date f Informal Patent Application (PT	O-152)			
•	on Disclosure Statement(s) (F10-1449 of F o(s)/Mail Date	. 5.55.00)	6) Other:					

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DETAILED ACTION

1. This action is responsive to communications: RCE, filed on 07/11/05.

Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 1-2, 5-8, 11-12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over McComb, US# 6,006,224 et al. in view of Diamond, US# 6,269,368 B1.

As per claims 1, 5-6, 8, 12 and 14, McComb et al. teaches "a user to construct database queries . . . storing database queries" (see col. 5, lines 22-37) "query submission means for selecting between a constructed query . . ." (see col. 4, lines 7-21) "said query store being separate from said database" (see col. 7, lines 41-67). McComb et al. does not explicitly teach "a search tool operable to receive a user constructed database query and search the query store for a previously constructed query that resembles said user constructed database query . . ." Carter et al. "a search tool operable to receive a user constructed database query and search the query store for a previously constructed query that resembles said user constructed database query . . ." (see fig. 6—sheet 6 of 6, col. 9, lines 28-66 and col. 10, lines 20-57). It would have been obvious at the time of the invention for one of ordinary skill in the art to have

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combined the teachings of McComb and Carter above, because using the steps of "a search tool operable to receive a user constructed database query and search the query store for a previously constructed query that resembles said user constructed database query . . .", would have given those skilled in the art the ability to retrieve previously stored/cached queries based on similar attributes. This give users the advantage of receiving pertinent information that was cached discovered during a previous query request on similar subject matter.

As per claim 2, McComb et al. teaches "user input means . . . a database query . . ." (see col. 3, lines 62-67) "calculate a similarity factor between data fields . . ." (see col. 5, lines 10-37).

As per claim 7, McComb teaches "a user loading data to at least on data field in a database query" (see col. 14, lines 57-67).

As per claims 4 and 11, McComb et al. teaches "collecting management information data for a query submitted . . . structuring the management information . . . loading structured management . . ." (see col. 15, lines 26-67).

As per clam 14, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected.

Claim Rejections - 35 USC § 103

- 4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 3-4 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over McComb, US# 6,006,224 et al. in view of Diamond, US# 6,269,368 B1, and further in view of Malloy, US# 5,787,234.

As per claims 3 and 9-10, McComb et al. does not explicitly teach "case based reasoning . . . does so to construct a query as a case." Malloy teaches "case based reasoning . . . does so to construct a query as a case" (see col. 2, lines 56-67 and col. 3, lines 1-12). It would have been obvious for one of ordinary skill in the art at the time of the invention to have combined the teachings of McComb and Molly, because using steps of "case based reasoning . . .", because using the process involving case base reasoning would have given those skilled in the art the tools to apply a framework that users can use to produce query solutions, this give users that advantage of solving problems by examining descriptions of similar and previous problems.

Response to Arguments

6. Applicant's arguments with respect to claims 1-12 and 14 have been considered but are most in view of the new ground(s) of rejection.

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Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alford W. Kindred Patent Examiner Tech Ctr. 2100